

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEVEN BAZILE,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE NEW YORK  
CITY POLICE DEPARTMENT and POLICE  
OFFICERS "JOHN DOE 1-3" (names being fictitious  
as real names are unknown) ,

Civil Action No.: 13-CV-5039

**AMENDED COMPLAINT**

Jury Trial Demanded

Plaintiff by his attorneys, GINARTE, O'DWYER, GONZALEZ, GALLARDO &  
WINOGRAD, LLP., complaining of the defendants, respectfully alleges as follows:

1. That the plaintiff, STEVEN BAZILE resides at 120 Arlington Avenue, Valley Stream, New York 11580.
2. The basis of jurisdiction is that the action involves a federal question involving the Civil Rights violations under 42 U.S.C. §1983.
3. Upon information and belief, that the defendants, **THE CITY OF NEW YORK, THE NEW YORK CITY POLICE DEPARTMENT and POLICE OFFICERS "JOHN DOE 1-3"** (names being fictitious as real names are unknown) maintain its principal place of business at 100 Church Street, New York, New York 10007.
4. Upon information and belief, that at all the times hereinafter mentioned, on July 20, 2012, the defendant, **THE CITY OF NEW YORK** (hereinafter referred to as "**CITY**"), was and still is a municipal corporation duly organized and existing by virtue of the laws, charters and

statutes of the State of New York.

5. Upon information and belief, that at all the times hereinafter mentioned, on July 20, 2012, the defendant, **NEW YORK CITY POLICE DEPARTMENT** (hereinafter referred to as "**POLICE DEPARTMENT**"), was and still is a duly organized municipal agency existing under the auspices of the City of New York.

6. Upon information and belief, that at all the times hereinafter mentioned, the defendant, **CITY** maintains the defendant, **POLICE DEPARTMENT** and employs personnel as police officers with the duty of protecting persons and property within the City of New York.

7. Upon information and belief, that at all the times hereinafter mentioned, the defendant, **CITY** maintains the defendant, **POLICE DEPARTMENT** and employs personnel as police officers with the duty of protecting persons and property.

8. Upon information and belief, that at all times hereinafter mentioned, that on July 20, 2012, the defendants, "**JOHN DOE 1-3**", were hired/employed by the defendant, **CITY**.

9. Upon information and belief, that at all times hereinafter mentioned, that on July 20, 2012, the defendants, "**JOHN DOE 1-3**", were hired/employed by the defendant, **POLICE DEPARTMENT**.

10. Upon information and belief that at all times hereinafter mentioned, that on July 20, 2012, the defendants, "**JOHN DOE 1-3**" were under the supervision of the defendant, **CITY**.

11. Upon information and belief that at all times hereinafter mentioned, that on July 20, 2012, the defendants, "**JOHN DOE 1-3**" were under the supervision of the defendant, **POLICE DEPARTMENT**.

12. That a notice of claim was served upon defendant, **CITY**, within ninety (90) days of the occurrence and/or accrual of the cause of action.

13. More than thirty (30) days have elapsed since presentation of said claim, and defendant, **CITY**, has failed to adjust and/or dispose of the claim presented therein.

14. That the plaintiff has complied with all of the conditions precedent to the bringing of their action and the oral examinations and physical examination has been completed and/or waived by the defendant, **CITY**.

15. This action is commenced within one year and ninety days of the date of the incident and/or accrual of the cause of action and therefore is timely commenced.

**FIRST CAUSE OF ACTION- EXCESSIVE FORCE:**

16. On July 20, 2012, plaintiff, **STEVEN BAZILE**, was lawfully at or near 42nd Street, outside or near the building known as 800 Second Avenue, New York, New York.

17. Plaintiff was lawfully at said location when members of the police department of defendant, **CITY** (namely, defendant, **POLICE DEPARTMENT**) responded to said location.

18. That on or about the July 20, 2012, at approximately 9:30 p.m. when this plaintiff was lawfully at or near the building at the aforesaid location, the defendants, "**JOHN DOE 1-3**" (names being fictitious as real names are unknown), who, acting in performance of their employment and within the scope of their authority, did unlawfully, violently, negligently, carelessly, recklessly, and with excessive and gratuitous force and without just cause, excuse, and/or provocation grabbed, struck, struck with a night stick or similar object, beat, touched, slapped and punched the plaintiff and ultimately sprayed mace on the Plaintiff's face causing injuries, then took hold of said plaintiff forcibly and violently and handcuffed him and forcibly



threw him in the back of a New York City Police vehicle and transported him to the 53rd Precinct at which time the Plaintiff was arrested, falsely detained and imprisoned against his will and in violation of his Civil Rights, causing this plaintiff to sustain severe personal injuries, all of which said defendants did intentionally, willfully, maliciously and without just cause or provocation on the part of Plaintiff.

19. That the defendants' employees intentionally and recklessly conducted themselves in a manner so shocking and outrageous that it exceeded all reasonable bounds of decency, when the defendants intentionally negligently and/or recklessly and without provocation, did use excessive force under the conditions in imprisoning and arresting and then willfully forcing the plaintiff to be detained for a long period of time under harsh conditions.

20. That the defendants negligently, intentionally, maliciously, and/or recklessly assaulted, battered and falsely imprisoned, humiliated, maligned, embarrassed and harassed the plaintiff in such a manner and under such circumstances as to show defendant's utter disregard of the consequences to the plaintiff that followed all with the intention to inflict emotional and severe mental distress.

21. The defendants' aforementioned intentional and reckless words and acts caused severe mental distress to the plaintiff and the defendants acted with the desire to cause such distress to the plaintiff, under the circumstances known to the defendants which made it substantially certain that such mental distress to this plaintiff would result and follow therefrom; and defendants were further reckless with utter disregard of the consequences to this plaintiff, that might follow said defendants, said actions and words.

22. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

23. As a result of said intentional and reckless acts and words, which were done and uttered by defendants to the plaintiff, the plaintiff was caused to suffer severe mental distress, pain, anguish, ridicule, humiliation, and embarrassment, to his loss and damage in the sum of TWO MILLION(\$2,000,000) DOLLARS.

**SECOND CAUSE OF ACTION:**

24. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "23" herein as if more fully set forth at length:

25. That the Defendants did unlawfully, violently, negligently, carelessly, recklessly, and with excessive and gratuitous force and without just cause, excuse, and/or provocation grabbed, struck, beat, touched, slapped and punched the Plaintiff, **STEVEN BAZILE**, without cause or provocation, and ultimately sprayed him mace causing severe and permanent injuries and other consequential damages.

26. The defendants actions were intentional, willful and/or unwarranted under the circumstances and in violation of the law, and constituted excessive force and/or assault and battery.

27. At the time of the assault and battery, the defendants, "JOHN DOE 1-3" were acting as defendants' agents, servants and/or employees and were acting within the scope of their employment and in furtherance of their employer's business.

28. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

29. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

**THIRD CAUSE OF ACTION-FALSE ARREST:**

30. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "29" herein as if more fully set forth at length:

31. Plaintiff, **STEVEN BAZILE**, was, without cause or provocation, falsely arrested.

32. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment



opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

33. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

**FOURTH CAUSE OF ACTION-FALSE IMPRISONMENT:**

34. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "33" herein as if more fully set forth at length:

35. Plaintiff, **STEVEN BAZILE**, was, without cause or provocation, falsely imprisoned for a substantial period of time.

36. Plaintiff, **STEVEN BAZILE**, was falsely imprisoned at both the scene of the occurrence and continuing thereafter at the 53<sup>rd</sup> Precinct and thereafter at Criminal Court. This imprisonment lasted for a substantial period of time.

37. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

38. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

**FIFTH CAUSE OF ACTION-MALICIOUS PROSECUTION**

39. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "38" herein as if more fully set forth at length:

40. Defendants maliciously prosecuted criminal charges against plaintiff, **STEVEN BAZILE**.

41. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

42. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

**SIXTH CAUSE OF ACTION-NEGLIGENT TREATMENT:**

43. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "42" herein as if more fully set forth at length:

44. At the aforementioned time and place, plaintiff, **STEVEN BAZILE**, was negligently treated by various police officers employed by the defendants without any provocation on the part of the plaintiff, **STEVEN BAZILE**.

45. Said police officers were acting within the course and scope of their employment with defendants.



46. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

47. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

**SEVENTH CAUSE OF ACTION-INVASION OF PRIVACY:**

48. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "47" herein as if more fully set forth at length:

49. The aforementioned occurrence constituted an invasion of the privacy of plaintiff, **STEVEN BAZILE**.

50. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

51. As a result of the foregoing, plaintiff, STEVEN BAZILE, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

EIGHTH CAUSE OF ACTION-VIOLATION OF  
PLAINTIFF'S RIGHTS UNDER 42 §1983 FOURTH AMENDMENT TO THE UNITED  
STATES CONSTITUTION AND N.Y.S. CONSTITUTION ARTICLE ONE, SECTION 12:

52. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "51" herein as if more fully set forth at length:

53. As a result of the aforementioned occurrence, plaintiff, STEVEN BAZILE, was deprived of his civil rights under the Constitution of the State of New York and the Constitution of the United States, as well as other State ordinances statutes, codes and rules, including 42 USC §1983; The Fourth Amendment to the United States Constitution; the Fourteenth Amendment to the United States Constitution and Article one, Section 12 of the New York State Constitution.

54. That the defendants herein were acting under color of State Law at the times Plaintiff alleges deprivations of his Civil Rights under the Constitution of the State of New York and The Constitution of the State of New York and The Constitution of the United States, as well as other State ordinances, statutes, codes and rules, including 42 U.S.C. § 1983.

55. That the defendants herein used and applied excessive force upon the person of the Plaintiff by striking him from behind with a nightstick or other similar object, when Plaintiff was in a defenseless and neutral position, which excessive force caused multiple physical injuries which included a fractured eye socket.

56. That the defendants herein falsely arrested, falsely detained, falsely imprisoned and maliciously prosecuted the plaintiff herein as there was no proof evidence or probable cause to arrest, detain, imprison or prosecute the plaintiff.

57. That by reason of the aforesaid violations of plaintiff's rights, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

58. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

#### **NINTH CAUSE OF ACTION-NEGLIGENCE**

59. Plaintiff repeats, reiterates and re-alleges the allegations contained in Paragraphs "1" through "58" herein as if more fully set forth at length:

60. The aforementioned occurrence took place by reason of the negligence of defendants, its agents, servants and/or employees, including various police officers.

61. That by reason of the aforesaid, this plaintiff, **STEVEN BAZILE**, sustained severe and serious injuries requiring surgery, medical care and attention, and upon information and belief permanent injuries; psychological and emotional injuries and trauma; separation from family and loved ones, deprivation of personal, civil rights and civil liberties; damage to personal property; damage to reputation, character and credit; loss of employment and employment




opportunities; trespass upon the plaintiff's person and personal property; punitive damages, legal fees and other consequential damages.

62. As a result of the foregoing, plaintiff, **STEVEN BAZILE**, has been damaged in the sum of TWO MILLION(\$2,000,000) DOLLARS.

WHEREFORE, plaintiffs demand judgment against the defendants for each of the aforementioned Causes of Actions in sum of TWO MILLION(\$2,000,000) DOLLARS, together with the costs, attorney fees or allowable under Federal Law and disbursements of this action.

Dated: New York, New York  
August 30, 2013

GINARTE O'DWYER GONZALEZ GALLARDO  
& WINOGRAD, LLP.

By:   
Glenn Verchick, Esq. (1766)  
Attorneys for Plaintiff  
225 Broadway, 13th Floor  
New York, New York 10007  
(212) 601-9700

JUDGE TURMAN

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the  
Southern District of New York

STEVEN BAZILE

\_\_\_\_\_  
Plaintiff(s)

v.

THE CITY OF NEW YORK, THE NEW YORK CITY  
POLICE DEPARTMENT and POLICE OFFICERS  
"JOHN DOE 1-13" (names being fictitious as real  
names are unknown)\_\_\_\_\_  
Defendant(s)

Civil Action No.

13 CV 5039

2013 JUL 25 AM 10:10

CITY OF N.Y. LAW DEPT.  
OFFICE OF COUNSEL  
ATTORNEY GENERAL'S OFFICE

## SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MICHAEL A. CARDOZO  
CORPORATION COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007

A lawsuit has been filed against you.

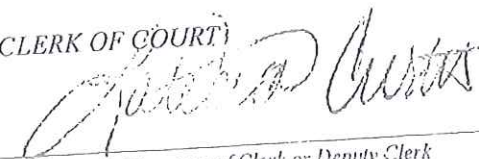
Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

GINARTE, O'DWYER, GONZALEZ, GALLARDO & WINOGRAD, LLP.  
225 BROADWAY, 13TH FL.  
NEW YORK, NY 10007  
(212) 601.9700

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT



Signature of Clerk or Deputy Clerk

JUL 19 2013

Date: \_\_\_\_\_

JS 44C/SDNY  
REV. 7/2012

JUDGE FURMAN

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained on it are neither a replacement nor a supplement to the pleadings or other papers as required by law, except as provided by the Judicial Conference of the United States in September 1994. It is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

JUL 19 2013

PLAINTIFFS  
STEVEN BAZILEDEFENDANTS  
THE CITY OF NEW YORK, THE NEW YORK CITY POLICE DEPARTMENT  
and POLICE OFFICERS "JOHN DOE 1-3" (names being fictitious as real  
names are unknown)ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
GINARTE, O'DWYER, GONZALEZ, GALLARDO & WINOGRAD, LLP,  
225 BROADWAY, 13TH FL., NEW YORK, NEW YORK 10007  
(212) 601.9700ATTORNEYS (IF KNOWN)  
MICHAEL A. CARDOZO-CORPORATION COUNSEL  
100 CHURCH STREET  
NEW YORK, NEW YORK 10007CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 U.S.C. 1983; Personal Injuries/Civil Rights Violations

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date

&amp; Case No.

Is THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

## NATURE OF SUIT

(PLACE AN [x] IN ONE BOX ONLY)

## ACTIONS UNDER STATUTES

| TORTS                 |                          | PERSONAL INJURY           |                      | FORFEITURE/PENALTY               |                            | BANKRUPTCY     |  | OTHER STATUTES |  |
|-----------------------|--------------------------|---------------------------|----------------------|----------------------------------|----------------------------|----------------|--|----------------|--|
| CONTRACT              | PERSONAL INJURY          | PERSONAL INJURY           | PERSONAL INJURY      | FORFEITURE/PENALTY               | BANKRUPTCY                 | OTHER STATUTES |  |                |  |
| [ ] 110 INSURANCE     | [ ] 310 AIRPLANE         | [ ] 362 PERSONAL INJURY - | [ ] 610 AGRICULTURE  | [ ] 422 APPEAL                   | [ ] 400 STATE              |                |  |                |  |
| [ ] 120 MARINE        | [ ] 315 AIRPLANE PRODUCT | MED MALPRACTICE           | [ ] 620 OTHER FOOD & | 28 USC 158                       | REAPPORTIONMENT            |                |  |                |  |
| [ ] 130 MILLER ACT    | LIABILITY                | [ ] 365 PERSONAL INJURY   | DRUG                 | [ ] 423 WITHDRAWAL               | [ ] 410 ANTITRUST          |                |  |                |  |
| [ ] 140 NEGOTIABLE    | [ ] 320 ASSAULT, LIBEL & | PRODUCT LIABILITY         | [ ] 625 DRUG RELATED | 28 USC 157                       | [ ] 430 BANKS & BANKING    |                |  |                |  |
| INSTRUMENT            | SLANDER                  | [ ] 368 ASBESTOS PERSONAL | SEIZURE OF           |                                  | [ ] 450 COMMERCE           |                |  |                |  |
| [ ] 150 RECOVERY OF   | [ ] 330 FEDERAL          | INJURY PRODUCT            | PROPERTY             |                                  | [ ] 460 DEPORTATION        |                |  |                |  |
| OVERPAYMENT &         | EMPLOYERS'               | LIABILITY                 | 21 USC 881           |                                  | [ ] 470 RACKETEER INFLU-   |                |  |                |  |
| ENFORCEMENT           | LIABILITY                |                           | LIQUOR LAWS          |                                  | ENCED & CORRUPT            |                |  |                |  |
| OF JUDGMENT           | [ ] 340 MARINE           | PERSONAL PROPERTY         | RR & TRUCK           | [ ] 820 COPYRIGHTS               | ORGANIZATION ACT           |                |  |                |  |
| MEDICARE ACT          | [ ] 345 MARINE PRODUCT   | [ ] 370 OTHER FRAUD       | [ ] 640 AIRLINE REGS | [ ] 830 PATENT                   | (RICO)                     |                |  |                |  |
| RECOVERY OF           | LIABILITY                | [ ] 371 TRUTH IN LENDING  | [ ] 650 OCCUPATIONAL | [ ] 840 TRADEMARK                | [ ] 480 CONSUMER CREDIT    |                |  |                |  |
| DEFAULTED             | [ ] 350 MOTOR VEHICLE    | [ ] 380 OTHER PERSONAL    | SAFETY/HEALTH        |                                  | [ ] 490 CABLE/SATELLITE TV |                |  |                |  |
| STUDENT LOANS         | [ ] 355 MOTOR VEHICLE    | PROPERTY DAMAGE           | [ ] 690 OTHER        |                                  | [ ] 810 SELECTIVE SERVICE  |                |  |                |  |
| (EXCL. VETERANS)      | PRODUCT LIABILITY        | [ ] 385 PROPERTY DAMAGE   |                      |                                  | [ ] 850 SECURITIES/        |                |  |                |  |
| RECOVERY OF           | [x] 360 OTHER PERSONAL   | PRODUCT LIABILITY         | LABOR                |                                  | COMMODITIES/               |                |  |                |  |
| OVERPAYMENT           | INJURY                   |                           | [ ] 710 FAIR LABOR   | [ ] 861 HIA (1395(f))            | EXCHANGE                   |                |  |                |  |
| OF VETERANS           |                          |                           | STANDARDS ACT        | [ ] 862 BLACK LUNG (923)         | [ ] 875 CUSTOMER           |                |  |                |  |
| BENEFITS              |                          |                           | LABOR/MGMT           | [ ] 863 DIWCADWW (405(g))        | CHALLENGE                  |                |  |                |  |
| STOCKHOLDERS          |                          |                           | RELATIONS            | [ ] 864 SSID TITLE XVI           | 12 USC 3410                |                |  |                |  |
| SUITS                 |                          |                           | LABOR/MGMT           | [ ] 865 RSI (405(g))             | [ ] 890 OTHER STATUTORY    |                |  |                |  |
| [ ] 160 OTHER         |                          |                           | REPORTING &          |                                  | ACTIONS                    |                |  |                |  |
| CONTRACT              |                          |                           | DISCLOSURE ACT       |                                  | [ ] 891 AGRICULTURAL ACTS  |                |  |                |  |
| [ ] 195 CONTRACT      |                          |                           | RAILWAY LABOR ACT    | [ ] 870 TAXES (U.S. Plaintiff or | [ ] 892 ECONOMIC           |                |  |                |  |
| PRODUCT               |                          |                           | OTHER LABOR          | Defendant)                       | STABILIZATION ACT          |                |  |                |  |
| LIABILITY             |                          |                           | LITIGATION           | [ ] 871 IRS-THIRD PARTY          | [ ] 893 ENVIRONMENTAL      |                |  |                |  |
| [ ] 196 FRANCHISE     |                          |                           | EMPL RET INC         | 26 USC 7609                      | MATTERS                    |                |  |                |  |
|                       |                          |                           | SECURITY ACT         |                                  | [ ] 894 ENERGY             |                |  |                |  |
|                       |                          |                           |                      |                                  | ALLOCATION ACT             |                |  |                |  |
|                       |                          |                           |                      |                                  | [ ] 895 FREEDOM OF         |                |  |                |  |
|                       |                          |                           |                      |                                  | INFORMATION ACT            |                |  |                |  |
|                       |                          |                           |                      |                                  | [ ] 899 APPEAL OF FEE      |                |  |                |  |
|                       |                          |                           |                      |                                  | DETERMINATION              |                |  |                |  |
|                       |                          |                           |                      |                                  | UNDER EQUAL                |                |  |                |  |
|                       |                          |                           |                      |                                  | ACCESS TO JUSTICE          |                |  |                |  |
|                       |                          |                           |                      |                                  | [ ] 950 CONSTITUTIONALITY  |                |  |                |  |
|                       |                          |                           |                      |                                  | OF STATE STATUTES          |                |  |                |  |
| REAL PROPERTY         |                          |                           |                      |                                  |                            |                |  |                |  |
| [ ] 210 LAND          |                          |                           |                      |                                  |                            |                |  |                |  |
| CONDEMNATION          |                          |                           |                      |                                  |                            |                |  |                |  |
| [ ] 220 FORECLOSURE   |                          |                           |                      |                                  |                            |                |  |                |  |
| [ ] 230 RENT LEASE &  |                          |                           |                      |                                  |                            |                |  |                |  |
| EJECTMENT             |                          |                           |                      |                                  |                            |                |  |                |  |
| [ ] 240 TORTS TO LAND |                          |                           |                      |                                  |                            |                |  |                |  |
| [ ] 245 TORT PRODUCT  |                          |                           |                      |                                  |                            |                |  |                |  |
| LIABILITY             |                          |                           |                      |                                  |                            |                |  |                |  |
| [ ] 260 ALL OTHER     |                          |                           |                      |                                  |                            |                |  |                |  |
| REAL PROPERTY         |                          |                           |                      |                                  |                            |                |  |                |  |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: ☒ YES ☐ NODO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE: \_\_\_\_\_

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.



(PLACE AN x IN ONE BOX ONLY)

☒ 1 Original Proceeding☐ 2 Removed from State Court☐ a. all parties represented☐ b. At least one party is pro se.☐ 3 Remanded from Appellate Court☐ 4 Reinstated or Reopened☐ 5 Transferred from (Specify District)☐ 6 Multidistrict Litigation☐ 7 Appeal to District Judge from Magistrate Judge Judgment

## ORIGIN

(PLACE AN x IN ONE BOX ONLY)

☐ 1 U.S. PLAINTIFF☐ 2 U.S. DEFENDANT☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)☐ 4 DIVERSITY

## BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE

PTF DEF  
[ ] [ ]

CITIZEN OR SUBJECT OF A FOREIGN COUNTRY

PTF DEF  
[ ] [ ]

INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE

PTF DEF  
[ ] [ ]

CITIZEN OF ANOTHER STATE [ ] [ ]

INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE

[ ] [ ]

FOREIGN NATION

[ ] [ ]

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

STEVEN BAZILE  
120 ARLINGTON AVENUE  
VALLEY STREAM, NY 11580  
COUNTY OF NASSAU

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

MICHAEL A. CARDOZO-CORPORATION COUNSEL  
100 CHURCH STREET  
NEW YORK, NEW YORK 10007  
COUNTY OF NEW YORK

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 7/18/13

SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO☒ YES (DATE ADMITTED Mo. 01 Yr. 1990 )

Attorney Bar Code # 1766

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge

MAG. JUDGE FRANCIS

is so Designated.

Ruby J. Krajick, Clerk of Court by

Deputy Clerk, DATED

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

